

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-6 are pending in this application. Claim 1 is amended and is the sole independent claim.

SUMMARY OF EXAMINER INTERVIEW

Initially, Applicants wish to thank Examiner Chen for his time during the telephone interview of July 9, 2009, the contents of which are summarized below.

During the interview, the rejection of independent claim 1 and proposed amendments to claim 1 were discussed. Also discussed were the inventive concept and the subject matter the Applicants are attempting to claim as the invention. The Examiner indicated that he understood the inventive concept but was of the opinion that the previously presented claims do not clearly disclose the specific use of personalization parameters to distinguish the application from the prior art.

The present amendment is being filed based on the Examiner's advice that the claims be amended to clarify the inventive concept and the subject matter regarded as the invention.

ENTRY OF AMENDMENT AFTER FINAL REJECTION

Entry of the Amendment is requested under 37 C.F.R. § 1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not present any additional claims without canceling the corresponding number of final rejected claims; and/or c) places the application in better form for an appeal, if an appeal is necessary. Entry of the Amendment is thus respectfully requested.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-6 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Applicants respectfully traverse this rejection for the reasons detailed below.

As shown in the preceding section, claims 1-6 have been amended in an attempt to meet the requirements of 35 U.S.C. §112, second paragraph.

Reconsideration and allowance of claims 1-6 is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §102

Claims 1 and 3-6 are allegedly rejected under 35 U.S.C. §102(b) as being anticipate by US Patent Publication 2001/0020297 to Inoue ("Inoue"). Applicants respectfully traverse this rejection for the reasons detailed below.

In light of the discussion during the interview of July 9, 2009 and for the reasons given below, Applicants submit that Inoue fails to teach or fairly suggest "the access conditions contained in the condition block are expressed in a form of **an operation described by a request in a structured language, the operation based on at least one of the access rights defined in the received authorization message, viewing history of the subscriber and at least one occasion based on information provided by the subscriber,**" as recited in independent claim 1. (Emphasis Added)

Inoue is directed to a simple concept of whether a transmitted program can be viewed and to easily recognize the contents of the program. The teachings of Inoue fail to anticipate and/or render the limitations of claim 1 obvious to one ordinary skill in the art.

Claims 3-6, dependent on independent claim 1, are patentable for the reasons stated above with respect to claim 1 as well as for their own merits.

Therefore, Applicants respectfully request that the rejection to Claims 1 and 3-6 under 35 U.S.C. § 102(b) be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue. Applicants respectfully traverse this rejection for the reasons detailed below.

Claim 2, dependent on independent claim 1, is patentable for at least the reasons stated above with respect to claim 1 as well as for its own merits. Therefore, Applicants respectfully request the Examiner withdraw the rejection under 35 U.S.C. § 103.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested.

Pursuant to 37 C.F.R. §1.17 and 1.136(a), Applicants hereby petition for a one (1) month extension of time for filing a reply to the outstanding Office Action and submit the required \$130.00 extension fee herewith.

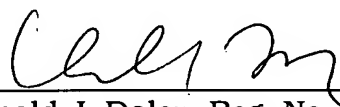
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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